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May 11, 2007

STATE WATER RESOURCES CONTROL BOARD BOARD MEETING SESSION – DIVISION OF WATER QUALITY TBD

ITEM - _____

SUBJECT

CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SANTA ANA RIVER BASIN (BASIN PLAN) TO INCLUDE A PHASED WASTE DISCHARGE PROHIBITION ON THE USE OF ONSITE SEPTIC TANK-SUBSURFACE DISPOSAL SYSTEMS IN THE QUAIL VALLEY AREA OF RIVERSIDE COUNTY

DISCUSSION

The amendment revises Chapter 5, Waste Discharge Prohibition, Section D, “Prohibitions Applying to Groundwaters” in the Basin Plan. The regulatory provisions are modified by establishing a phased waste discharge prohibition on the use of septic tank-subsurface disposal systems (septic systems) in the Quail Valley area of Riverside County. Currently, the Basin Plan has a prohibition on the use of septic systems for a number of other locations within the Region. This Basin Plan amendment adds the Quail Valley area to the list of areas where septic systems are prohibited.

A significant number of the approximately 1,400 septic systems in the Quail Valley area are failing. From 2004 to 2006, staff from the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) and the Riverside County Health Department conducted investigations of the septic system failures in the Quail Valley area. The investigations indicated that the septic systems were failing at an alarming rate due to poor soil conditions, high groundwater, poor maintenance, and a number of other reasons. Most failures were noted in the high density areas, identified as subareas four and nine as shown in Attachment A to the amendment where the density of small lots and septic tanks is highest. Further investigations concluded that surfacing septic system effluent was: (1) failing bacteria objectives; (2) a serious threat to public health of residents in the area; (3) adversely impacting water quality; and (4) flowing into Canyon Lake, a drinking water source. Canyon Lake is also on the Santa Ana Water Board’s 303(d) list of impaired water bodies, impaired for nutrients and bacteria. A nutrient Total Maximum Daily Load (TMDL) has been established for Canyon Lake (Santa Ana Water Board Resolution No. R8-2004-0037). This TMDL identifies septic systems as sources of nitrogen to Canyon Lake and, accordingly, includes load allocations for septic systems that require reductions in nutrient inputs into Canyon Lake.

The sewerage agencies for the area (Eastern Municipal Water District and Elsinore Valley Municipal Water District) conducted preliminary studies and determined that sewer systems are feasible for the higher density areas. The Basin Plan amendment prohibits new septic systems in subareas four and nine upon the effective date of the Resolution and requires all existing septic systems in all subareas to connect to the sewer within one year of availability of sewers. The amendment allows the Santa Ana Water Board to permit new septic systems in areas other than subareas four and nine, provided that the sewerage agency has sewer service available for subareas four and nine within five years of the effective date of this amendment and all Santa

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Ana Water Board and Riverside County requirements are met. In the event that the sewerage agency cannot meet the five year schedule, the Santa Ana Water Board will examine the design process and determine whether to permit new septic systems in areas other than subareas four and nine upon completion of the sewer system design.

POLICY ISSUE

Should the State Water Resources Control Board (State Water Board) approve the amendment to the Basin Plan to include a phased waste discharge prohibition on the use of onsite septic tank-subsurface disposal systems in the Quail Valley area of Riverside County, as adopted under Santa Ana Water Board Resolution No. R8-2006-0024?

FISCAL IMPACT

Santa Ana Water Board and State Water Board staff work associated with or resulting from this action will be addressed with existing and future budgeted resources.

REGIONAL WATER BOARD IMPACT

Yes, approval of this resolution will amend the Basin Plan.

STAFF RECOMMENDATION

That the State Water Board:

1. Approves the amendment to the Basin Plan as adopted under Santa Ana Water Board Resolution No. R8-2006-0024.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Santa Ana Water Board Resolution No. R8-2006-0024 to the Office of Administrative Law for approval of the regulatory provisions.

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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2007 - ____

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SANTA ANA RIVER BASIN (BASIN PLAN) TO INCLUDE A PHASED WASTE DISCHARGE PROHIBITION ON THE USE OF ONSITE SEPTIC TANK-SUBSURFACE DISPOSAL SYSTEMS IN THE QUAIL VALLEY AREA OF RIVERSIDE COUNTY

WHEREAS:

1. The Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) adopted a revised Basin Plan on March 11, 1994, which was approved by the State Water Resources Control Board (State Water Board) on July 21, 1994 and by the Office of Administrative Law (OAL) on January 24, 1995.
2. On October 3, 2006, the Santa Ana Water Board adopted Resolution No. R8-2006-0024 ([Attachment](#)) titled "Amending the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) to include a [Phased] Waste Discharge Prohibition on the Use of Onsite Septic Tank-subsurface Disposal Systems in the Quail Valley Area of Riverside County."
3. The Santa Ana Water Board found that the Basin Plan amendment, the Environmental Checklist, staff report, supporting documentation, and response to comments comply with the requirements of the State Water Board's certified regulatory California Environmental Quality Act (CEQA) process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq.
4. The Santa Ana Water Board found that the adoption of the amendment would have no significant effect on the environment, consistent with the Environmental Checklist required by CEQA.
5. The Santa Ana Water Board found that the Basin Plan amendment will ensure the reasonable protection of the beneficial uses of surface and groundwater within the Region and is consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation of water quality objectives.
7. On October 3, 2006, the Santa Ana Water Board held a public hearing to consider the Basin Plan amendment. Notice of the Public Hearing was given to all interested persons and published in accordance with Water Code section 13244.
8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The amendment must also be approved by the U.S. Environmental Protection Agency (USEPA).

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THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Santa Ana Water Board Resolution No. R8-2006-0024.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Santa Ana Water Board Resolution No. R8-2006-0024 to OAL for approval of the regulatory provisions.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on (TBD).

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Clerk to the Board